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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 vs.

10 JONTUE MACK,

11 Defendant.
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Case No. 2:16-cr-00351-KJD-CWH

ORDER

13 Presently before the court is the government's Motion to Strike Defendant Mack's Notice of
14 Assertion of Right to be Present in Court Unshackled (ECF No. 25), filed on June 12, 2017.

15 Defendant filed a response (ECF No. 27) on June 26, 2017. The government did not file a reply.

16 Defendant was sentenced on June 27, 2017. (Mins. of Proceedings (ECF No. 30); J. (ECF
17 No. 31).) Given that the "right to be free from unwarranted restraints" applies in the pretrial, trial,
18 and sentencing phases of a case, and that Defendant has been sentenced, the court will deny the
19 government's motion as moot. *United States v. Sanchez-Gomez*, 859 F.3d 649, 660-61 (9th Cir.
20 2017).

21 IT IS THEREFORE ORDERED that the government's Motion to Strike Defendant Mack's
22 Notice of Assertion of Right to be Present in Court Unshackled (ECF No. 25) is DENIED as moot.

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24 DATED: November 2, 2017

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27 C.W. Hoffman, Jr.
28 United States Magistrate Judge